



Council
29 July 2013

Subject: Recommendation from Prosperous Communities Committee to Council - Setting of Knowledge Test Fees for Taxi Licences.

Report by:

Director of Localism and Communities

Contact Officer:

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Purpose / Summary:

To consider the recommendation from Prosperous Communities Committee regarding the introduction of a fee to recover the cost of officer time for the administration of Knowledge Tests for all new taxi driver applications.
To grant Delegated Authority to the Head of Public Protection to be able to refuse applicants who fail to Pass the initial Knowledge Test for all new taxi driver applications.

RECOMMENDATION(S):

- 1) **That Members approve the recommendation from Prosperous Communities Committee meeting held on 16 July 2013 and set the fee for Knowledge Tests at £15.00.**
- 2) **That Members Grant Delegated Authority to the Head of Public Protection to be able to refuse applicants who are unable to pass the Knowledge Test.**

IMPLICATIONS

Legal: The Licensing Authority is legally entitled to charge fees on a cost neutral basis which must be formally approved by Council.

Changes to the Constitution in relation to (Responsibility for Functions Officers – General) must be formally approved by Council. The Delegated Authority requested for the Head of Public Protection to be authorised to be able to refuse applicants who fail the knowledge test is a minor extension to existing delegations.

Financial: A fee of £15.00 has been recommended to Council from both Prosperous Communities Committee and Licensing and Regulatory Committee. The recommended fee is based on a cost-neutral basis in order to recover the administrative costs associated with implementing this new process. FIN/7/14 refers.

Staffing: Some additional officer time will be incurred to administer the newly agreed knowledge test but on the whole this should be cost-neutral to the Authority.

Equality and Diversity including Human Rights :

N/A as a result of this report

Risk Assessment :

Failure to ensure that the fees to be charged by the Authority are appropriately authorised could result in a challenge to the Authority.

Failure to ensure any changes to the Constitution are properly authorised, could result in a challenge to the Authority.

Climate Related Risks and Opportunities :

N/A as a result of this report

Title and Location of any Background Papers used in the preparation of this report:

Report and Minutes of Licensing and Regulatory Committee Meeting held on 25 June 2013.

Report and Minutes of Prosperous Communities Committee held on 16 July 2013.

Both sets of the above documents can be found on the WLDC website.

Call in and Urgency:

Is the decision one which Rule 14 of the Scrutiny Procedure Rules apply?

Yes No

Key Decision:

Yes No

1. Background

- 1.1 At the meeting of the Licensing and Regulatory held on 25 June 2013 Members gave full consideration to a report relating to changes on how this Authority will exercise its discretion when dealing with applications from taxi drivers and proprietors of vehicles who may wish to operate outside the WLDC authority area.
- 1.2 Changes to taxi policy were put before Members in order to tighten up the regime when operators are trading outside the district. The reasons for this is that in these circumstances there is the potential for public safety to be compromised and WLDC reputation be put at risk.

2. Previous Reports

- 2.1 At the Licensing and Regulatory Committee meeting held on 25 June 2013, Members welcomed the tightening up of the Policy, and its equality and fairness and on that basis it was resolved that:
 - (a) having considered the revised process in relation to Taxi Proprietors and Drivers, it be recommended to the Prosperous Communities Committee that Appendices 1 and 2 of report LR. 08 13/14 be adopted;
 - (b) having considered the suggested fee to be charged for Driver Knowledge Tests it be recommended to full Council that this be set at £15.00; and
 - (c) Council be recommended to grant delegated authority to the Head of Public Protection, to refuse applications when the Knowledge Test has not been passed by applicants.
- 1.3 Further to the above meeting the matter was also put before Members of Prosperous Communities Committee meeting held on 16 July 2013 whereby it also received overwhelming support from Members present with the same recommendation as noted above.

2. Conclusion

- 2.1 In conclusion and bearing in mind that 2.1(a) above has now taken place, Council are now being recommended to approve 2.1(b)(c) above in order to fully authorise these elements of the process and to bring the whole process to a conclusion.